

**To:** Bergman, Ronald[Bergman.Ronald@epa.gov]  
**From:** Minter, Douglas  
**Sent:** Thur 5/22/2014 5:09:01 PM  
**Subject:** FW: OECA and NDIC Class VI Primacy

We very much appreciate your efforts in keeping this moving forward...let us know if there is anything R8 can assist with.

I am in tomorrow and will be getting you our comments on the AE memo and checklist. Sadie is reviewing them today.

Douglas

**From:** Boomgaard, Craig  
**Sent:** Thursday, May 22, 2014 8:40 AM  
**To:** Minter, Douglas  
**Subject:** RE: OECA and NDIC Class VI Primacy

Douglas,

The word:

still negotiating! Going to add ND C38-08-16 and 17 to binder; not going to revise AG statement... and that's what we are pushing back on. Ron is going to make some calls and hopefully get resolved this afternoon and move the package forward to OD for signature.

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**From:** Minter, Douglas  
**Sent:** Wednesday, May 21, 2014 9:29 AM  
**To:** Boomgaard, Craig  
**Subject:** FW: OECA and NDIC Class VI Primacy

Thanks...

**From:** Minter, Douglas  
**Sent:** Wednesday, May 21, 2014 9:28 AM  
**To:** Hoskie, Sadie  
**Subject:** FW: OECA and NDIC Class VI Primacy

Sadie: fyi. We should know by COB whether this becomes an issue that affects the timing of rulemaking...

**From:** Boomgaard, Craig  
**Sent:** Wednesday, May 21, 2014 9:25 AM  
**To:** Minter, Douglas  
**Subject:** OECA and NDIC Class VI Primacy

Douglas,

As I mention yesterday afternoon, Lisa (HQ) called to let me know that a lawyer in OECA had some concerns about the state's ability to sue an entity as an enforcement option. The attorney general's statement clearly states this option and lists 4 citations along using the standard AE letter language. The attorney feels it could be stronger.

OCEA will be meeting today to decide on this matter before concurring.

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